

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 4, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-15364 - APPLICANT/OWNER: HENK AND DEBRA ROBINSON

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning Z-0118-96 and Site Development Plan Review shall be required.
2. This approval shall be void one year from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

APPLICATION REQUEST

This petition is for a Special Use Permit for the conversion of an existing 660 sq. ft. non-habitable accessory structure to a habitable accessory structure at 6228 Dartle Street.

EXECUTIVE SUMMARY

The applicant is seeking the approval of a special use permit for the conversion of an existing 660 sq. ft. non-habitable accessory structure to a habitable accessory structure. The conversion consists of adding a kitchen within the existing floor plan so as to provide an adequate living environment for his elderly mother. The existing 660 square-foot non-habitable accessory structure is located on a 0.33 acre lot in the northeast (rear) portion of the property. The footprint for the existing home, including the three-car garage, is approximately 3,468 square feet. This makes the size of the proposed habitable accessory structure conversion less than 50% of the principal dwelling and covers less than 50% of the rear yard.

BACKGROUND INFORMATION

A) *Related Actions*

- 11/24/1997 The Las Vegas City Council approved a request to amend a portion of the northwest sector of the General Plan on property located on the south side of Centennial Pkwy, between Jones Blvd and Torrey Pines Dr. from: DR (Desert Rural Density Residential) to R (Rural Density Residential) (GPA-51-96).
- 06/09/07 The Las Vegas City Council conditionally approved a request to Rezone this property to R-PD3 (Residential Planned Development – 3 Units Per Acre), amending the request to R-PD2 (Residential Planned Development – 2 Units Per Acre) for a proposed 168 lot single family subdivision (Z-0118-96).
- 09/25/97 The Planning Commission accepted a request to withdraw an application for a Tentative Map for this property for a proposed 171 lot single family subdivision (TM-23-97).

- 11/24/97 The Las Vegas City Council approved a request to Rescind the approval of a Rezoning request on this property to R-PD3 (Residential Planned Development – 3 Units Per Acre) as amended to R-PD2 (Residential Planned Development – 2 Units Per Acre) (Z-0118-96).
- 11/24/97 The Las Vegas City Council reconsidered and approved a request for a Rezoning on this property to R-PD3 (Residential Planned Development – 3 Units Per Acre) for a proposed 168 lot single family subdivision and Approved the Rezoning (Z-0118-96).
- 04/23/98 The Planning Commission approved a request for a Final Map on this property for 47 of the 165 lots proposed on the Tentative Map (FM-28-98).
- 12/18/97 The Planning Commission approved a request for a Tentative Map for property located south of Centennial Parkway, between Jones Blvd and Torrey Pines Dr. (TM-69-97).
- 11/19/98 The Planning Commission approved an Extension of Time on an approved Tentative Map (TM-69-97).
- 06/05/02 The Las Vegas City Council approved a request for a Review of Condition #7 (Z-0118-96(2)) on an approved Rezoning (Z-0118-96) to allow a 15-foot front yard setback where 20 feet is required on properties located adjacent to the northeast corner of Torrey Pines Drive and Azure Drive.
- 09/07/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #6/mh).

Building Permit History for 6228 Dartle Street

- 12/21/00 Building & Safety issued Permit #433 on 01/10/00 for a single family home within the Copperfield Subdivision. Final inspection was completed on 12/21/00
- 9/14/01 Building & Safety issued Permit #1016534 for a 26' x 6'H block wall
- 7/17/06 Building & Safety issued Permit #6001455 for a 660 sq. ft casita on 11/03/05. Final inspection was completed on 7/17/06.

B) Pre-Application Meeting

07/11/06 The pre-application conference covered the requirements for submitting a request for a Special Use Permit for the conversion of an existing casita to a habitable accessory structure. The applicant was informed to bring the permits for the existing structure and to provide a photograph of the structure as well. The applicant was informed of the conditions required for a habitable accessory structure.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.33

B) Existing Land Use

Subject Property:
North: ROW (CC-215)
South: Single Family Residential
East: ROW (N. Jones Boulevard)
West: Single Family Residential

C) Planned Land Use

Subject Property:
North: ROW (CC-215)
South: R (Rural)
East: ROW (N. Jones Boulevard)
West: R (Rural)

D) Existing Zoning

Subject Property: R-PD3
North: ROW (CC-215)
South: R-PD3
East: (N. Jones Boulevard)
West: R-PD3

E) General Plan Compliance

- a. Centennial Hills Sector Plan: This site is currently designated R (Rural Density Residential) on the Centennial Hills Section of the General Plan which is a mixture of 1/3 to 1/2 acre lots. The R-PD3 (Residential Planned Development – 3 Units Per Acre) is consistent with this density.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

ANALYSIS

A) Zoning Code Compliance

The proposed conversion of the existing accessory structure to habitable accessory structure complies with all zoning code requirements for the zoning district within which the property is located. All setbacks and design standards have been met and will not be affected by the conversion process.

B) General Analysis and Discussion

- **Zoning**

This property received final approval by the City Council for the R-PD3 zoning (Z-0118-96) on 11/24/1997. The Planning Commission approved a request for a Final Map (FM-28-98) on this property for 47 of the 165 lots proposed.

- **Use**

The applicant is seeking the approval of a special use permit for the conversion of an existing 660 sq. ft. non-habitable accessory structure to a habitable accessory structure. The conversion consists of adding a kitchen within the existing floor plan so as to provide an adequate living environment for his elderly mother. The home was constructed with a three-car garage, providing for the additional onsite parking space.

- Conditions
 1. The size of the lot or parcel must exceed 6,500 square feet.
 2. Habitable accessory structure may not be offered or occupied as a rental unit unless the principal dwelling is owner-occupied.
 3. A habitable accessory structure may contain one kitchen, but otherwise must comply with all provisions of Section 19.08.040 applicable to accessory structures.
 4. A minimum of one additional on-site parking space must be provided beyond the number of spaces normally required.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed use is compatible with surrounding land uses and should not adversely impact the area.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The lot for the proposed habitable accessory structure is sufficient to accommodate this use and all code requirements for this type of structure are consistent with code requirements. Moreover, the applicant is converting an existing structure that is already in compliance with the design requirements for a habitable accessory structure.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The street network will not be impacted by this use, as it is accessory to the primary use on this site.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

Since the existing accessory structure meets all code requirements for setbacks and building separations, there is nothing to indicate that the conversion to habitable accessory structure will compromise the health, safety, or welfare of the residents in the area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 138 by City Clerk

APPROVALS 0

PROTESTS 0